

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

U.S.A. vs. Robert Donnell Jones

Docket No. 5:12-CR-404-1BO

Petition for Action on Supervised Release

COMES NOW Maurice J. Foy, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Robert Donnell Jones, who, upon an earlier plea of guilty to Distribute Cocaine Base (Crack), 21 U.S.C. § 841(a)(1), was sentenced by the Honorable N. Carlton Tilley, U.S. District Judge for the Middle District of North Carolina, on December 2, 1998, to the custody of the Bureau of Prisons for a term of 196 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 96 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate in a substance abuse treatment program, which may include drug testing or inpatient/residential treatment, as directed by the probation officer. During the course of treatment, the defendant shall abstain from the use of alcoholic beverages.
2. The defendant shall provide any requested financial information to the probation officer

Robert Donnell Jones was released from custody on October 11, 2012, at which time the term of supervised release commenced. On November 14, 2012, the court in the Middle District of North Carolina was notified that the defendant tested positive for marijuana and was referred for substance abuse treatment. On December 10, 2012, jurisdiction was transferred to the Eastern District of North Carolina. On January 24, 2013, the court modified Mr. Jones' conditions, as a result of marijuana use, to include the DROPS conditions and a 2-day sanction.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 14, 2013, the defendant tested positive for marijuana again and admitted to using the substance on May 7, 2013. He was then placed in the HOPE ReEntry Court and has been participating in the program since June 20, 2013. On January 26, 2014, Mr. Jones was charged with Driving While Impaired in Greensboro, North Carolina. Not only did the defendant incur a new criminal charge, he left the district without the permission of the probation office and as such, we recommend modifying his conditions of supervision to include 90 days of home detention with electronic monitoring and alcohol monitoring. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to the residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. Additionally, the defendant shall participate in Soberlink (alcohol monitoring) to monitor his sobriety.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/Jeffrey L. Keller

Jeffrey L. Keller
Supervising U.S. Probation Officer

/s/Maurice J. Foy

Maurice J. Foy
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: (919) 861-8660
Executed On: February 7, 2014

ORDER OF COURT

Considered and ordered this 8 day of February, 2014, and ordered filed and made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge